



U.S. Department
of Veterans Affairs

810 Vermont Ave NW
Washington DC 20420
www.va.gov

Via Email: 74157-15555938@requests.muckrock.com

JUN 27 2019

Ms. Emma Best
MuckRock News
DEPT MR 74157
411A Highland Avenue
Somerville, MA 02144-2516

Dear Ms. Best:

This letter is in response to your May 28, 2018, Freedom of Information Act (FOIA) request submitted to the Department of Veterans Affairs (VA) requesting the following:

- "Copies of documents, including but not limited to emails, memos, letters, reports, briefs and call logs, referring to, discussing or generated as a result of referrals to and consultations with the Federal Bureau of Investigation and other components of the Department of Justice (Criminal Division, Civil Division, National Security Division, the Attorney General's office, etc.), regarding instances of unauthorized disclosures of information (AKA leaks) for investigation and/or prosecution between January 20, 1981 (or the date of creation of this agency, whichever came first) and the present."

The FOIA Service received your request on May 28, 2019, and assigned it FOIA tracking number **19-08936-F**. Please refer to this number when communicating with the VA about this request.

Further clarification is needed before we can process your request. According to our regulations, a request for records "must contain a reasonable description of the records desired so that it may be located with relative ease." Per 38 CFR, 1.554(d), the requester's description of the records sought needs to describe such records in enough detail to allow VA FOIA Officers to locate them with a "reasonable amount of effort." To the extent possible, the requester should include specific information about each record sought, such as the date, title or name, author, recipient and subject matter, etc. Wide ranging requests that lack specificity or contain descriptions of very general subject matters with no description of specific records may be considered "not reasonably described."

Based on our review of your request, we have determined that your request is not perfected because it fails to comply with the FOIA and VA's FOIA Regulations. Your wide-ranging request fails to provide any specifics or description of the records you are seeking to obtain. The FOIA requires agencies to make their records available to any person who submits a request for records "which reasonably describes such records AND is made in accordance with published rules . . . and procedures to be followed." 5 U.S.C. § 552(a)(3)(A); see also DOJ FOIA Guide section "Proper FOIA Request". Additionally, VA's FOIA Regulations.

As written, being that you did not identify the VA employee(s) email boxes to search, or, identify the VA office(s) that you would like to conduct a search, your request would require a search of almost every VA mailbox and VA office which would constitute an overly burdensome and unreasonable search requirement on agency personnel. Please be aware that the VA has

Ms. Emma Best
Page 2

approximately 240,000 employees that are in hundreds of offices all over the country. Please narrow the scope of the search of your FOIA request. Also, please consider narrowing the scope of your timeframe... "January 20, 1981 (or the date of creation of this agency, whichever came first) and the present." This timeframe is very broad and would take much more time to conduct a search for records.

To ensure the VA conducts a thorough and efficient records search, please narrow the scope of your request as requested.

Moreover, you also requested a fee waiver for search and duplication costs. At present, VA is unable to characterize your request, make a fee estimate determination, or consider a fee waiver, unless and until the request has been perfected.

Additionally, the time for processing your request has been tolled, due to the agency's request for clarification. See 38 C.F.R. 1.554 (d)(4)).

Please respond within 30 calendar days of the date of this communication or we will conclude that you are no longer interested in pursuing this request and will close our files. Per 38 CFR, 1.554(d)(4)"

If you have any questions about this letter, please contact Ms. Diane Cooke of my staff at 202-632-7419.

Sincerely,

for 

Ms. Doloras Johnson
Director, VACO FOIA Service
Quality, Performance, and Risk (QPR)
Office of Information & Technology (OI&T)